

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: To Be Assigned
Filing Date: To Be Assigned
Applicant: Fenelon
Group Art Unit: To Be Assigned
Examiner: To Be Assigned
Title: WINDOW LIFT MECHANISMA
Attorney Docket: 3288-000011/CPB

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. **LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION**

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. **COPIES**

A. ☐ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. ☒ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were

previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

10/124,943

10/400,820

U.S. Filing Date

April 18, 2002

March 27, 2003

C. ☐ Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D. ☐ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form 1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g).)

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ☒ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ☒ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ☐ See the attached foreign patent office communication from a counterpart foreign application:

2. ☐ English translations are provided:

3. ☒ Other:

JP 5-86761 appears to disclose an actuator for a door lock device which utilizes a rack and pinion.

French 1,425,449 appears to disclose a window opening device having a dual rack and pinion assembly including racks 3 and 4 and pinions 16 disposed on opposite ends of shaft 8.

German 1,931,471 appears to disclose a worm and worm gear actuating device.

French 2,11,220 appears to disclose a window lift mechanism which utilizes a worm for driving a worm gear which is connected to a pinion of a rack and pinion assembly.

German 2,217,784 appears to disclose a window lift mechanism which utilizes a belt drive for driving a pinion of a rack and pinion assembly.

German 2,544,174 appears to disclose an actuator device.

French 2,550,267 appears to disclose a window lift mechanism including a rack and pinion assembly.

French 2,650,647 appears to disclose a worm and worm gear actuator device.

German 2,841,440 appears to disclose a worm and worm gear actuator device.

German 3,545,856 appears to disclose a window lift mechanism having a rack and pinion drive assembly.

German 3,243,123 appears to disclose a window lift mechanism with a cable actuator.

German 4,005,759 appears to disclose a window mechanism having a rack and pinion drive assembly.

German 29,613,322 appears to disclose a belt drive actuator device.

C. ☐ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ☐ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does (do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. ☒ **37 C.F.R. § 1.97(b):** (check only one box)

1. ☒ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
2. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
3. ☐ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required.
4. ☐ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ☐ **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
2. ☐ See the certification below. No fee is required.

C. ☐ **37 C.F.R. § 1.97(d):**

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ☐ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

- A. ☐ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. §

1.97(e)(1)). See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or

B. ☐ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ☐ some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 C.F.R. 1.704(d)

The undersigned hereby states that:

☐ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VI. PAYMENT OF FEES (check only one box)

A. ☐ A check in the amount of \$180.00 is enclosed for the above identified fee.

B. ☐ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: 12-9-03

By: Ryan W. Massey
Ryan W. Massey
Reg. No. 38,543

Harness, Dickey & Pierce, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

RWM/dr

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 1 of 5	ATTORNEY DOCKET NO.	SERIAL NO.
	3288-000011/CPB	To Be Assigned
	APPLICANT	
	Fenelon	
	FILING DATE	GROUP
	To Be Assigned	To Be Assigned

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		548695	10/1895	Capron		
2.		1356123	10/1920	Belle		
3.		1480453	01/1924	Lane		
4.		1487926	03/1924	Evans		
5.		1683914	09/1928	Pfiffer		
6.		1850091	03/1932	Bailey		
7.		1939159	12/1933	Atwood		
8.		2115632	04/1938	Hanley		
9.		2291275	07/1942	Ackerman		
10.		2293968	08/1942	Chandler		
11.		2319088	05/1943	Roethel		
12.		2336530	12/1943	Chandler et al		
13.		2345594	04/1944	Gardner		
14.		2531116	11/1950	Donoghue		
15.		2883780	04/1959	Goodman		
16.		3659466	05/1972	Pickles		
17.		3662568	05/1972	Kashima et al		
18.		3706163	12/1972	Pickles		
19.		3706236	12/1972	Pickles		
20.		3736702	06/1973	Pickles		
21.		4082008	04/1977	Kluting		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 2 of 5

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U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		4119341	10/1978	Cook		
23.		4167834	09/1979	Pickles		
24.		4168595	09/1979	Pickles et al		
25.		4170847	10/1979	Pickles		
26.		4182078	01/1980	Bartholomew		
27.		4229906	10/1980	Pickles		
28.		4235117	11/1980	Pickles		
29.		4328451	05/1982	Barge		
30.		4389818	06/1983	Sakamoto		
31.		4400913	08/1983	Krantz et al		
32.		4420906	12/1983	Pickles		
33.		4534233	08/1985	Hamaguchi		
34.		4553656	11/1985	Pickles		
35.		4592245	06/1986	Pickles		
36.		4603894	08/1986	Osenkowski		
37.		4698938	10/1987	Huber		
38.		4770055	09/1988	Chevance et al		
39.		4785585	11/1988	Grier et al		
40.		4850636	07/1989	McLaren et al		
41.		4878396	11/1989	Grunberg		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 3 of 5

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U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
42.		4910917	03/1990	Brauer		
43.		4967510	11/1990	Torii et al		
44.		4970827	11/1990	Djordjevic		
45.		5000055	03/1991	Kim		
46.		5005316	04/1991	Hornivius		
47.		5022184	06/1991	Yamamura et al		
48.		5174066	12/1992	Dupuy		
49.		5226259	07/1993	Yamagata et al		
50.		5251403	10/1993	Compeau et al		
51.		5307704	05/1994	Muller		
52.		5308129	05/1994	Hlvaty		
53.		5308138	05/1994	Hlvaty		
54.		5309677	05/1994	Kunert et al		
55.		5351443	10/1994	Kimura		
56.		5355629	10/1994	Kimura		
57.		5367832	11/1994	Compeau et al		
58.		5410921	05/1995	Deynet et al		
59.		5425206	06/1995	Compeau et al		
60.		5577347	11/1996	Heckel et al		
61.		5806244	09/1998	Tilli		

Examiner:

Date Considered:

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U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
62.		5836205	11/1998	Meyer		
63.		5943913	08/1999	Fenelon		
64.		6073395	06/2000	Fenelon		
65.		6145252	11/2000	Fenelon		
66.		6216394	04/2001	Fenelon		
67.		6389753	05/2002	Fenelon		
68.		6430874	08/2002	Korte		

FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation	
						Yes	No
1.		WO96/41087	06/1995	PCT		X	
2.		WO97/37099	10/1997	PCT		X	
3.		JP5-86761	04/1993	Japan			X
4.		851436	10/1960	England		X	
5.		1425449	04/1966	France			X
6.		DT1931471	12/1970	Germany			X
7.		2111220	06/1972	France			X
8.		DT2217784	10/1973	Germany			X
9.		DT2544174A1	04/1977	Germany			X
10.		FR2550267A1	02/1985	France			X

Examiner:	Date Considered:
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FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes No	
11.		FR2650647A1	02/1991	France			X
12.		DE2841440A1	04/1980	Germany			X
13.		DE3545856C1	01/1987	Germany			X
14.		DE3243123A1	05/1984	Germany			X
15.		DE4005759A1	08/1991	Germany			X
16.		DE29613322U1	10/1996	Germany			X

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		Ford 1973 Car Shopt Manual, Vol. 4, Body, Ford Marketing Corporation, Ford Customer Service Division, Service Technical Communications Dept., Dearborn, MI (printed 9/1972)

Examiner:	Date Considered:
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